

# REGULATION

<b>SPDOC No.:</b>  05-12	<b>Effective Date:</b>  November 6, 2005	<b>Index Reference:</b>  Frozen, Position, Classification	<b>Regulation Number:</b>  <b>4.10</b>
<b>Issuing Bureau:</b>  Human Resource Services	<b>Rule Reference:</b> Rules: 1-3 (Regulations) 4-1 (Position Establishment and Classification) 4-2 (Position Classification Review)		<b>Replaces:</b>  Reg. 4.10 (CS-6940, March 18, 2001)
<b>Subject:</b>  <b>FROZEN CLASSIFICATIONS AND POSITIONS</b>			

## TABLE OF CONTENTS

1. PURPOSE.....	1
2. CIVIL SERVICE COMMISSION RULE REFERENCE .....	1
3. DEFINITIONS .....	2
4. STANDARDS.....	3
5. PROCEDURE .....	4

### 1. PURPOSE

This regulation defines frozen position actions and establishes the standards, criteria, and procedures for such actions.

### 2. CIVIL SERVICE COMMISSION RULE REFERENCE

#### ***Rule 1-3 Regulations and Advisories***

*The state personnel director is authorized to issue regulations and advisories that the director deems to be necessary or useful. A regulation issued by the state personnel director is binding unless the commission finds that the regulation violates a rule. An advisory does not have the force and effect of law and is not binding. The state personnel director shall make all regulations and advisories available to employees through their personnel offices and the internet.*

**Rule 4-1      Position Establishment and Classification****4-1.1      Requirement**

*All positions must be established in the classified service unless specifically exempted or excepted by article 11, section 5, of the constitution, or these rules.*

**4-1.2      Classification**

*A position established in the classified service must be reviewed to classify the position properly.*

\* \* \*

**4-1.4      Classification Plan**

*The commission shall authorize an official classification plan for all positions in the classified service. The department of civil service shall administer the official classification plan.*

\* \* \*

**Rule 4-2      Position Classification Review**

*The department of civil service shall provide for both a periodic and ongoing review of positions in the classified service to ensure positions continue to be properly classified.*

- (a) **Position review.** *An appointing authority shall give notice to the department of civil service of material changes in the duties and responsibilities that may impact the proper classification of a position. If the appointing authority does not notify the department of civil service of material changes, the employee occupying the position may initiate a position review by filing an updated position description and a written request with the department of civil service.*

\* \* \*

**3.      DEFINITIONS****A. Definitions as Used in This Regulation**

1. **Frozen classifications** means classes that have been determined to be obsolete; e.g., Griffen-Hagen System classes, Benchmark System classes, and selected Equitable Classification Plan classes that have been deemed no longer viable. All positions in such classes are frozen. A freeze action is designated by a "Y" in the Human Resources Management Network (HRMN) Frozen User field on the PA02.1 and the addition of "FZN" to the position description.

2. **Frozen positions** means freeze actions on individual positions used to identify employees in specific positions with duties and responsibilities that are no longer proper for the current classification. The freeze prevents the appointing authority from refilling the position until it has been reviewed and the proper classification has been determined. A freeze action is designated by a "Y" in the HRMN Frozen User field on the PA02.1 and the addition of "FZN" to the position description.

#### 4. **STANDARDS**

- A. The Department of Civil Service shall not establish an improperly classified position.
- B. Appointing authorities shall give notice to the Department of Civil Service of material changes in the duties and responsibilities that may impact the proper classification of a position such that it should be frozen.
- C. When the Department of Civil Service issues a classification action to freeze a position, the proper classification must be identified on the Position Action Request form (CS-129).
- D. The employee cannot appeal a freeze action.
- E. A freeze on a position in a preauthorized class series (entry/trainee or intermediate level) precludes reclassification to any higher level in the class series for the current employee.
- F. Freeze actions are employee and position-specific and are only transferable to another position when approved by the Department of Civil Service (e.g., the employee in the frozen position is assigned comparable or higher level work).
- G. A vacant, frozen position must be reviewed and properly reclassified before an appointment can be made to the position.
- H. An occupied frozen position can be reclassified to the proper classification if there is no negative impact to the employee's current pay rate, or the reclassification does not result in placement in a lower pay range, or there is no violation of civil service rules or regulations.
- I. Frozen positions are not exempted from reduction-in-force (RIF) actions. A frozen position (both bargaining unit included and excluded) must be classified, after it has been vacated, in the proper classification for the application of employment preference in accordance with regulation 2.01 [Implementing A Reduction In Force For Non-Exclusively Represented Employees].

J. Transactions on frozen positions are subject to audit.

## 5. **PROCEDURE**

### Placing a Freeze on a Position.

Responsibility	Action
Department of Civil Service	<ol style="list-style-type: none"> <li>1. Receives information that an employee in a position is no longer assigned duties and responsibilities commensurate with the classification.</li> <li>2. Prepares a Position Action Request form (CS-129) with an explanation for the freeze and identifies the proper classification and level on the CS-129.</li> <li>3. Enters a "Y" in the HRMN-Frozen User field on the PA02.1 and adds "FZN" to the position description of the position being frozen.</li> <li>4. Releases the CS-129.</li> </ol>
Appointing Authority	<ol style="list-style-type: none"> <li>5. Receives the CS-129 and verifies the information in the HRMN.</li> <li>6. Informs management and the employee.</li> </ol>

## **CONTACT**

Questions regarding this regulation should be directed to the Department of Civil Service, P.O. Box 30002, 400 South Pine Street, Lansing, Michigan 48909; by telephone, at 517-373-3048 or 1-800-788-1766; or by e-mail to [MDCS-BHRS@michigan.gov](mailto:MDCS-BHRS@michigan.gov).

**NOTE:** Regulations are issued by the State Personnel Director, under authority granted in the *State of Michigan Constitution* and the *Michigan Civil Service Commission Rules*. Regulations that implement Commission Rules are subordinate to those Rules.